

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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RICHARD BROWN *et al.*, )  
)  
Plaintiffs )  
)  
v. ) C.A. NO. 05-10188-MEL  
)  
SUFFOLK COUNTY, )  
Defendant )  
)  
\_\_\_\_\_  
)

and

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)  
)  
GIUSEPPE MAROTTA *et al.*, )  
)  
Plaintiff )  
)  
v. ) C.A. NO. 05-10032-MEL  
)  
SUFFOLK COUNTY, )  
Defendant )  
)  
\_\_\_\_\_  
)

**PARTIES PROPOSED SETTLEMENT ORDER OF DISMISSAL  
AND ORDER PURSUANT TO FED. R. CIV. P. RULE 54(d)(2)**

Now come the parties in the above-referenced actions, and report as follows:

1. The parties have reached resolution on all counts of the complaints in actions referenced above.
2. As part of the resolution, the parties have agreed that a Settlement Order of Dismissal should issue, without prejudice to the right of any party upon good cause

shown within 90 days of the date they have been presented with calculations being undertaken by a third-party, PriceWatherhouse Coopers, to reopen the action if settlement is not consummated, otherwise the parties shall file a Stipulation of Dismissal, Notice of Voluntary Dismissal, or an Agreement for Judgment with the Court. The parties will inform the court of the date on which the third-party has completed its reports, from which the 90 day period shall run.

3. In addition, the parties have agreed that the plaintiffs are entitled to their reasonable attorney's fees and costs in this case, pursuant to 29 U.S.C. § 216(b). The parties have agreed that the Plaintiffs may submit a motion for fees, if they cannot agree otherwise, within 45 days of the time they have completed review of the calculations referred to above.

Respectfully submitted,

THE PLAINTIFFS

By their attorney,

/s/ Daniel W. Rice

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THE DEFENDANT

By its attorneys,

s/Russell Homsy

Russell Homsy, BBO #  
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Dated: January 22, 2008